

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7165

BILL NUMBER: HB 1467

NOTE PREPARED: Jan 28, 2013

BILL AMENDED:

SUBJECT: Compliance with restitution orders.

FIRST AUTHOR: Rep. Goodin

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: ☒ **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill has the following provisions:

- A. *Restitution Orders* – It provides that restitution ordered in a criminal action is a final judgment and has the effect of a final judgment in a civil action. It allows a court to garnish a person's income to satisfy a restitution order. It allows a crime victim or prosecuting attorney to file a petition to garnish a person's income to satisfy a restitution order. It provides that if a court orders a person to make restitution and orders the person to be committed to the Department of Correction (DOC), the DOC shall forward restitution to the individual to whom the person is ordered to make restitution if the person earns money while committed to the DOC.
- B. *Failure to Make Restitution Payments* – It provides that a person is not eligible for parole, probation, earned credit time, or any funds, loans, grants, or aid that is administered or funded by the state if the person has failed to make all restitution payments and has had the opportunity to earn money while in the DOC.

Effective Date: July 1, 2013.

Explanation of State Expenditures: *Failure to Make Restitution Payments* – The bill provides that a person is not eligible for parole, probation, earned credit time, or any funds, loans, grants, or aid that is administered or funded by the state, if the person has failed to make all restitution payments and has had the opportunity to earn money while in the DOC. This provision could reduce the number of offenders to be released on either probation or parole and increase the need for additional beds. The number of offenders who could be affected by this bill is currently indeterminable. [Additional information will be provided when it becomes available.]

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected:

Information Sources:

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